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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,048	06/29/2001	Malena Rosa Mesarina	10010939	9310

22879 7590 12/21/2004

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EXAMINER
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NAWAZ, ASAD M

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/895,048		MESARINA ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Asad M Nawaz		2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-32 are presented for examination.
2. The information disclosure statement received on 29 June 2001 has been considered.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-13, 15-22, and 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manzak and Chankrabarti (*Variable Voltage Task Scheduling For Minimizing Energy Or Minimizing Power*) hereinafter referred to as Manzak, further in view of McFadden et al (US Patent No. 6,614,804) hereinafter referred to as McFadden.

As to claim 1, Manzak teaches a method for processing an encoded data stream wherein said encoded data stream is non-preemptive and subject to precedence constraints, said method comprising the steps of: assigning a processor setting to a task in a plurality of tasks, wherein said processor setting corresponds to a setting used by a processor of a client device to execute said task and wherein said task decodes without preemption a frame of said encoded data stream; (1, 1.1)

generating an execution schedule for decoding said encoded data stream, wherein said execution schedule comprises a sequence for executing at said client device said plurality of tasks according to said precedence constraints; (1, 2.2)

With regards to the limitation, "transmitting to said client device said execution schedule and said processor setting" in claim 1. Manzak does not explicitly indicate the transmission of the execution schedule to a client device.

McFadden teaches transmission download of data to clients wherein pre-download scheduling of one or more future download sessions is provided. A transmission link, low-volume scheduling information, or content are transmitted within designated streams dynamically allocated relative to high-volume, high-speed, and low-volume, low-speed demands.(Abstract; col 2 and 3, lines 57-67 and 1-25)

With respect to claim 1, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of McFadden into those of Manzen to make the system efficient. A client provided with the scheduling data along with processing settings would enable the system to more efficiently fulfill the multimedia request.

As to claim 2, Manzan teaches the method as recited in claim 1 wherein said processor setting comprises a voltage amount used by said processor to execute said task. (1, 1.1)

As to claim 3, Manzen teaches the method as recited in claim 1 wherein said processor setting comprises a processor clock speed at which said processor executes said task. (1.2)

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As to claim 4, Manzen teaches the method as recited in claim 1 wherein said processor of said client device operates using a discrete variable-voltage power supply.

(Abstract; 1)

As to claim 6, Manzen teaches the method as recited in claim 1 comprising the steps of: assigning a processor setting to each task in said plurality of tasks. (1, 1.1)

However, with regards to the limitation "transmitting said processor setting for said each task to said client device" in claim 1, Manzen does not explicitly indicate the transmission of processor settings to the client device.

McFadden teaches transmission download of data to clients wherein pre-download scheduling of one or more future download sessions is provided. A transmission link, low-volume scheduling information, or content are transmitted within designated streams dynamically allocated relative to high-volume, high-speed, and low-volume, low-speed demands.(Abstract; col 2 and 3, lines 57-67 and 1-25)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of McFadden into those of Manzen to make the system efficient. A client provided with the scheduling data along with processing settings would enable the system to more efficiently fulfill the multimedia request.

As to claim 7, Manzen teaches the method as recited in claim 1 wherein said step of generating said execution schedule is independent of client device type.

(Abstract, 1)

As to claim 8, Manzen teaches the method as recited in claim 1 wherein said step of generating said execution schedule comprises the steps of: generating different sequences for executing a subset of said plurality of tasks and selecting a sequence that results in minimum energy use by said processor of said client device. (1, 2.2)

As to claim 9, Manzen teaches the method as recited in claim 1 comprising the step of: transmitting said encoded data stream to said client device with said execution schedule and said processor setting. (1, 1.1, 1.2, 2.2)

4. Claims 5, 14, 23, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manzen further in view of Applicant's Admitted Prior Art hereinafter referred to as AAPA.

As to claim 5, Manzen teaches the method as recited in claim 1 however does not explicitly indicate the encoded data stream comprising an audio portion and a video portion.

AAPA discloses a multimedia application, such as an MPEG movie, consists of an encoded (compressed) video stream and an encoded audio stream.(0006)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of AAPA into those of Manzen to make the system standardized. Standards are beneficial because they allow the incorporations of different technologies in one customizable and unified system. Furthermore, the MPEG standard has different types that have been designed to work in different situations.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M Nawaz whose telephone number is (571) 272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Hosain Alam*  
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SUPERVISORY PATENT EXAMINER